and with two representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texian territory to the United States shall be agreed upon by the Governments of Texas and the United States: And that the sum of one hundred thousand dollars be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two houses of Congress, as the President may direct. Approved March 1, 1845. 5 Stat. at L. 797, 798.

Joint Resolution

Giving the Consent of the Existing Government to the Annexation of Texas to the United States

Whereas, the Government of the United States hath proposed the following terms, guarantees, and conditions, on which the people and territory of the Republic of Texas may be erected into a new State, to be called the State of Texas, and admitted as one of the States of the American Union, to wit:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress doth consent that the territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of Government, to be adopted by the people of said Republic, by deputies in Convention assembled, with the consent of the existing Government, in order that the same may be admitted as one of the States of this Union.

"2. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit:

"First. Said State to be formed, subject to the adjustment by this Government of all questions of boundary that

may arise with other governments; and the Constitution thereof, with the proper evidence of its adoption, by the people of the said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action, on or before the first day of January, one thousand eight hundred and forty-six.

"Second. Said State, when admitted into the Union, after ceding to the United States, all public edifices, fortifications, barracks, ports and harbors, navy and navy-yard, docks, magazines, arms, armaments, and all other property and means pertaining to the public defence, belonging to the said Republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to or be due and owing said Republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States.

"Third. New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri compromise line, slavery, or involuntary servitude, (except for crime), shall be prohibited."

And whereas, by said terms, the consent of the existing government of Texas is required—Therefore,

Be it resolved by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That the

government of Texas doth consent, that the People and territory of the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of Government, to be adopted by the people of said republic, by Deputies in Convention assembled, in order that the same may be admitted as one of the States of the American Union; and said consent is given on the terms, guarantees, and conditions set forth in the Preamble of this Joint Resolution.

Sec. 2. Be it further resolved, That the proclamation of the President of the Republic of Texas, bearing date May fifth, eighteen hundred and forty-five, and the election of Deputies to sit in Convention at Austin, on the fourth day of July next, for the adoption of a Constitution for the State of Texas, had in accordance therewith, hereby receives the consent of the existing Government of Texas.

Sec. 3. Be it further resolved, That the President of Texas is hereby requested immediately to furnish the Government of the United States, through their accredited Minister near this Government, with a copy of this Joint Resolution; also to furnish the Convention to assemble at Austin, on the fourth of July next, a copy of the same—And the same shall take effect from and after its passage.

JOHN M. LEWIS,
Speaker of the House of Representatives.
K. L. ANDERSON,
President of the Senate.

Approved, June 23, 1845. Anson Jones.

2 Gammel's Laws of Texas, 1225-1227.

IN CONVENTION OF THE PEOPLE OF THE REPUBLIC OF TEXAS
JULY 4, 1845

An Ordinance

Whereas the Congress of the United States of America has passed resolutions providing for the annexation of Texas to that Union, which resolutions were approved by the President of the United States on the first day of March one thousand eight hundred and forty-five; and whereas the President of the United States has submitted to Texas

the first and second sections of the said resolution, as the basis upon which Texas may be admitted as one of the States of the said Union; and whereas the existing government of the Republic of Texas has assented to the proposals thus made, the terms and conditions of which are as follows,

Joint Resolution for Annexing Texas to the United States

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress doth consent, that the territory, properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said Republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union.

2. And be it further resolved, that the foregoing consent of Congress is given upon the following conditions, and with the following guaranties, to wit: First. Said State to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other governments; and the constitution thereof, with the proper evidence of its adoption by the people of said republic of Texas, shall be transmitted to the president of the United States, to be laid before congress for its final action, on or before the first day of January, one thousand eight hundred and forty-six. Second. Said state, when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defence belonging to the said republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to or be due and owing to said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said republic of Texas, and the residue of said lands, after discharging said debts and liabili-

ties, to be disposed of as said state may direct; but in no event are said debts and liabilities to become a charge upon the government of the United States. Third. New states, of convenient size, not exceeding four in number, in addition to said state of Texas, and having sufficient population, may hereafter, by the consent of said state, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such states as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each state asking admission may desire. And in such state or states as shall be formed out of said territory north of said Missouri compromise line, slavery or involuntary servitude (except for crime), shall be prohibited.

Now, in order to manifest the assent of the people of this republic, as required in the above-recited portions of the said resolutions, We, the deputies of the people of Texas in convention assembled, in their name and by their authority, do ordain and declare, that we assent to, and accept the proposals, conditions, and guaranties contained in the first and second sections of the resolution of the congress of the United States aforesaid.

Done at the city of Austin, Republic of Texas, July 4th, 1845.

THO. J. RUSK,
President.

Paschal's Anno. Digest, Laws of Texas, pp. 44, 45; Vol. 2 Gammel's Laws of Texas, pp. 1228-1230.

JOINT RESOLUTION OF THE CONGRESS OF THE UNITED STATES ADMITTING TEXAS INTO THE UNION

Whereas, the congress of the United States, by a joint resolution approved March the first, eighteen hundred and forty-five, did consent that the territory properly included within, and rightfully belonging to, the republic of Texas, might be erected into a new state, to be called the state of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in con-

vention assembled, with the consent of the existing government, in order that the same might be admitted as one of the states of the Union, which consent of congress was given upon certain conditions specified in the first and second sections of said joint resolution: and whereas, the people of the said republic of Texas, by deputies in convention assembled, with the consent of the existing government, did adopt a constitution, and erect a new state with a republican form of government, and in the name of the people of Texas, and by their authority, did ordain and declare that they assented to, and accepted the proposals, conditions, and guaranties contained in said first and second sections of said resolution: and whereas, the said constitution, with the proper evidence of its adoption by the people of the republic of Texas, has been transmitted to the president of the United States and laid before congress, in conformity to the provisions of said joint resolution: therefore,

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the state of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states in all respects whatever.

Sec. 2. And be it further resolved, That until the representatives in congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the state of Texas shall be entitled to choose two representatives. Approved December 29, 1845. Paschal's Digest, Laws of Texas, Vol. 1, p. 46. 9 Stat. at L. 108.

JOINT RESOLUTION OF APRIL 26, 1846, DECLARING THE EXCLUSIVE RIGHT OF THE STATE OF TEXAS TO THE JURISDICTION OVER THE SOIL INCLUDED WITHIN THE LIMITS THEREOF.

Art. 441. (1634) [1.] That the exclusive right to the jurisdiction over the soil included in the limits of the late republic of Texas, was acquired by the valor of the people thereof, and was by them vested in the government of the said republic; that such exclusive right is now vested in and belongs to the state, excepting such jurisdiction as is

vested in the United States, by the constitution of the United States, and by the joint resolution of annexation, subject to such regulations and control as the government thereof may deem expedient to adopt; that we recognize no title in the Indian tribes, resident within the limits of the state, to any portion of the soil thereof; and that we recognize no right in the government of the United States to make any treaty of limits with the said Indian tribes, without the consent of the government of this state. Paschal's Ann. Digest, Laws of Texas, Vol. 1, pp. 192, 193.

AN ACT TO RELINQUISH THE RIGHT OF THE STATE TO CERTAIN LANDS THEREIN NAMED, APPROVED FEBRUARY 10, 1852, THE PERTINENT PORTIONS OF WHICH READ AS FOLLOWS:

"Section 1. Be it enacted by the Legislature of the State of Texas, That the State of Texas hereby relinquishes all her right and interest in the following described lands to the original grantees thereof, their heirs and legal assigns, towit:

County of Cameron

"(12) Nicolas Balli and Juan José Balli, eleven and a half leagues called 'Padre Island':

"Sec. 2. That it shall be the duty of those claiming any of the lands named in this act, to have the same surveyed by the District or County Surveyor of the County in which the same may be situated, and upon the return of the field notes thereof, to the General Land Office, the Commissioner is hereby authorized and required to have the same plotted on the maps of his office, and issue patents for the same in accordance with existing laws; provided, that no patent shall issue for a less amount than the original grant. That the owners of said lands shall be required to pay the taxes due on the same, from the date of the organization of the respective counties herein mentioned; which taxes shall be paid, and legal vouchers for the same exhibited to the Commissioner of the General Land Office, before the patent to the same shall issue."

"Sec. 5. That the confirmation herein extended to the lands mentioned in this act, shall in no way be construed

to interfere with any rights which may have accrued to other parties before the passage of this act, but the same shall remain without prejudice; provided, that nothing in this act shall be so construed as to relinquish the rights of the State to any of the Islands or Salt Lakes situated in the territory embraced in this act." 3 Gammel's Laws of Texas, 941, 946 and 949.